

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington D.C. 20436

In the Matter of

CERTAIN PLASMA DISPLAY PANELS  
AND PRODUCTS CONTAINING SAME

Inv. No. 337-TA-445

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION DECLASSIFYING THREE ORDERS OF THE  
PRESIDING ADMINISTRATIVE LAW JUDGE**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (ID) (Order No. 35) by the presiding administrative law judge (ALJ) to declassify three ALJ orders issued in the above-captioned investigation. The Commission expects that the ALJ will issue public versions of ALJ Order Nos. 12, 15, and 18 in accordance with his ID.

**FOR FURTHER INFORMATION CONTACT:** Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, D.C. 20436, telephone 202-205-3104. Copies of all nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, D.C. 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on January 22, 2001, based on a complaint filed by the Board of Trustees of the University of Illinois of Urbana, IL, and Competitive Technologies Inc. (CTI) of Fairfield, CT. The respondents in the investigation are Fujitsu Ltd., Fujitsu General Ltd., Fujitsu General America Corp., Fujitsu Microelectronic, Inc., and Fujitsu Hitachi

Plasma Display Ltd. (collectively, “Fujitsu”). Complainants alleged that Fujitsu violated section 337 of the Tariff Act of 1930 by importing into the United States, selling for importation, and/or selling within the United States after importation certain plasma display panels and products containing same that infringe certain claims of two of complainants patents. 66 *Fed. Reg.* 6668 (Jan. 22, 2001). The Commission terminated the investigation based on the withdrawal of the complaint on July 31, 2001. 66 *Fed. Reg.* 40722. (Aug. 3 2001).

On April 19, 2001, complainant CTI moved for sanctions against Fujitsu for violation of the administrative protective order (APO) issued in this investigation. On April 24, 2001, the then presiding ALJ issued Order No. 12, which required Fujitsu to provide additional information about the breach. On May 8, 2001, the ALJ issued Order No. 15 which imposed sanctions on Fujitsu and its attorneys for breaching the APO. The ALJ also recommended that the Commission publicly reprimand the law firm that represented Fujitsu. On motion by Fujitsu, Judge Morriss issued Order No. 18 on May 18, 2001, in which she delayed issuance of the public version of Order Nos. 12 and 15. The ALJ did not release a public version of Order No. 18.

On June 26, 2001, complainants moved to withdraw their complaint and terminate the investigation. On July 10, 2001, the presiding ALJ issued an ID granting complainants’ motion and terminating the investigation. The Commission decided not to review that ID on July 31, 2001, and it therefore became the Commission’s final determination under Commission rule 210.42, 19 C.F.R. § 210.42. 66 *Fed. Reg.* 40722 (August 3, 2001).

On February 15, 2002, the Commission adopted the ALJ’s recommendation contained in Order No. 15 to publicly sanction the firm. The other aspects of Order No.15 were never appealed to the Commission.

On March 3, 2002, complainant CTI filed a motion to release public versions of Order Nos. 12, 15, and 18. On March 18, 2002, Fujitsu and the Commission Investigative attorney (IA) filed oppositions to the motion. On March 21, 2002, the presiding ALJ issued an ID granting CTI’s motion. No petitions for review of the ID were filed.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and section 210.42 of the Commission Rules of Practice and Procedure, 19 C.F.R. §§ 210.42.

By order of the Commission.

Marilyn R. Abbott  
Secretary

Issued: April 16, 2002